

REMARKS

Claims 9 and 10 stand objected to on the grounds that they improperly depend from cancelled claim 2. Claim 20 stands rejected under 35 U.S.C. §112 on the grounds of insufficient antecedent basis for "the tubular support section". As Applicant has cancelled all of the previously recited claims (1, 3, 6-15, and 19-20) and added new claims 21-36, it is submitted that these objections and rejection have been rendered moot and should now be withdrawn.

Claims 1, 3, 6-10, and 19-20 stand rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,979,599 to Noles (hereinafter, 'Noles'). Claims 11-15 stand rejected under 35 USC 103(a) as being obvious in light of Noles. Applicant respectfully disagrees with these rejections, but has nevertheless cancelled the previously recited claims and reserves the right to pursue the subject matter of the previously recited claims in one or more continuation applications.

Applicant submits that new claims 21-36 are patentable in light of Noles for the reasons set forth below.

Claim 21 recites a traveler for use with a fall arrest system which includes at least one support supporting a safety line having a longitudinal centerline, the traveler including, inter alia:

...first and second gates spaced apart from one another and defining said slot therebetween, wherein **said first gate is disposed below said second gate when said body is disposed vertically about the safety line; and**

wherein an upper portion of said body is rotatable about the longitudinal centerline of the safety line away from the given support to a predetermined first rotational orientation in which a portion of said first gate interfaces to said given support to limit further angular movement of said upper portion of said body away from said given support.

Nowhere does the cited prior art teach or suggest these features.

Claim 21 requires that the first gate be disposed below the second gate when the body is disposed vertically about the safety line, that the upper portion of the body be rotatable about the centerline of the safety line away from the given support to a predetermined first rotational orientation in which a portion of the first gate interfaces to the given support to limit further angular movement of the upper portion of the body away from the given support.

The first and second gates of claim 21 correspond to the "outer gate" and "inner gate", respectively, as previously referenced by the Examiner in FIGS. 3a-3c of Noles. No portion of the first gate of Noles ever interfaces to the support to limit further angular movement of the upper portion of the body away from the support as required by claim 21. Instead, the upper portion of the body of Noles is stopped by the bottom of the "straight section" of the support as previously referenced by the examiner. If the Examiner instead switches the gates (interprets the first and second gates to correspond to the previously referenced "inner gate" and "outer gate", respectively), then such a construction would not place the first gate below the second gate when the body is disposed vertically about the safety line (e.g., FIG. 3b), and no portion of the first gate would limit further angular movement of the upper portion of the body away from the

given support as required by claim 21 (the first gate would instead limit angular movement of the upper portion of the body toward the given support). Similarly, in FIG. 9 of Noles, the first gate corresponds to the "outer gate" below slot 43, and never contacts the support or inhibits rotation of the body.

Thus, Noles fails to recite each of the limitations of claim 21, and claim 21 is patentable.

Claims 22-30 respectively depend from claim 21, and are thus patentable for the same reasons that claim 21 is patentable, and for reciting additional limitations shown in the art.

For example, claim 23 requires that the first gate have a first convex surface, the second gate have a second convex surface, and that the first and second convex surfaces face each other and define the slot. Noles does not disclose or suggest convex surfaces which face each other and define the slot. Instead, Noles discloses surfaces at the end of the gates which match the surface contour of the support (e.g., define curves which are relatively concentric with the curves defined by the inner and outer surfaces of the support) such that when the body is rotated, the gates do not contact the surface of the support (which would inhibit rotation). Thus, Noles teaches away from the use of convex surfaces which face each other and are disposed on gates which are spaced apart from each other as required by claim 23.

Claim 26 requires that the support include a straight section and a curved section, that the portion of the first gate interface to the straight section in the predetermined first rotational position, and that the second gate interface to the curved section in the predetermined second rotation position. Noles does not disclose these limitations.

Claim 31 is patentable for the same reason that claim 21 is patentable.

Claims 32-36 respectively depend from claim 31, and are thus patentable for the same reason that claim 31 is patentable, and for reciting additional limitations not shown or suggested in the cited art.

For example, claim 33 is patentable for the same reasons that claim 23 is patentable, and claim 36 is patentable for the same reasons that claim 26 is patentable.

In light of all of the above, it is submitted that the claims are in order for allowance, and prompt allowance is earnestly requested. Should any issues remain

outstanding, the Examiner is invited to call the undersigned attorney of record so that the case may proceed expeditiously to allowance.

Respectfully submitted,

/Jay P. Sbrollini/

Jay P. Sbrollini
Reg. No. 36,266
Attorney for Applicant(s)

GORDON & JACOBSON, P.C.
60 Long Ridge Road
Suite 407
Stamford, CT 06902
Ph: (203) 323-1800

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